

SEVENTH DAY.

SENATE CHAMBER,)
AUSTIN, January 19, 1875.)

Senate met pursuant to adjournment; roll called; quorum present. Prayer by chaplain. Journal of yesterday read and adopted.

A message was received from the House, announcing the passage of a concurrent resolution "withdrawing the pending charges against the Hon. J. R. Burnet, of the Thirtieth Judicial District, for reasons therein specified;" also, the passage of House bill No. 287, "An act to create the county of Crockett, and to establish the boundaries thereof."

Senator Ledbetter presented the petition of Jessie B. Murphy, "asking to be relieved from paying taxes." Read and referred to Judiciary Committee.

Senator Randle, Chairman Committee Engrossed Bills, submitted the following reports:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 494, "An act making an appropriation to pay F. Voigt, custodian of the public halls of the capitol, the public library, capitol grounds and State cemetery," and find the same correctly engrossed.

ED. RANDLE, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 493, "An act making it a penal offense to pursue any calling, profession or occupation upon which a tax is payable, without obtaining a license therefor," and find the same correctly engrossed.

ED. RANDLE, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 464, "An act to amend an act prescribing the mode of proceeding in district courts in matters of probate," approved August 15th, 1870.

ED. RANDLE, Chairman.

Senator Flanagan, Chairman Committee on Counties and County Boundaries, submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Counties and County Boundaries, to whom was referred Senate bill No. 495, "An act to authorize the county court of Galveston county to use certain funds in payment of her bonded debt," have had the same under consideration and instruct me to report it back to the Senate, and recommend that it do pass.

WEBSTER FLANAGAN, Chairman.

Senator Ireland, Chairman Judiciary Committee, submitted the following reports :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary, to whom was referred Senate bill No. 467, "An act concerning the location of the court house in Marion county," report the same back to the Senate, and recommend its passage.

JOHN IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Judiciary, to whom was referred Senate joint resolution No. 461, entitled "Joint resolution to pay the school debt of the State, incurred up to January, 1874," request its reference to Committee on Finance.

JOHN IRELAND, Chairman.

The report of the Committee was adopted, and the bill so referred.

Hon. R. B. Hubbard, President of the Senate :

Your Judiciary Committee, to whom was referred Senate bill No. 456, "An act to create, organize and define the powers of Criminal District Court of Anderson, Henderson, Kaufman, Rockwall, Smith and Van Zandt counties, and to prescribe the duties thereof," report the same back to the Senate, and recommend that it do pass.

JOHN IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Judiciary Committee, to whom was referred Senate bill No. 457, "An act to repeal an act entitled 'an act to repeal section 30 and 31 of 'an act to organize the

courts of justices of the peace and county courts, and to define their jurisdiction," " report the same back to the Senate, and recommend that it do not pass.

JOHN IRELAND, Chairman.

Senator Stirman submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on State Affairs, to whom was referred that portion of the message of his Excellency, the Governor, relative to the act "granting pensions to the veterans of the Revolution which separated Texas from Mexico," etc., beg leave to report that they have carefully considered the same, and as the result of such consideration, submit the following bill, and recommend its passage.

W. B. STIRMAN, Chairman.

The title to the bill referred to is, "An act granting pensions to the surviving veterans of the Revolution which separated Texas from Mexico, including the Santa Fe and Mier prisoners ; the survivors of the company of Captain Dawson, who was massacred near San Antonio, in the year 1842 ; the survivors of those who were captured at the city of San Antonio in the fall of 1843, and taken to the castle of Perote and confined therein ; and the survivors of Deaf Smith's spy company ;" and to provide for the liquidation and settlement of all arrearages due said veterans, under an act of thirteenth of August, 1870, previous to the first of July, 1874, approved April 21, 1874. Read first time and referred to Judiciary Committee.

Senator Hobby submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Public Buildings, to whom was referred that portion of the Governor's message relative to public buildings, have instructed me to report a bill embodying the suggestions therein made on that subject.

HOBBY, Chairman.

Two bills were introduced by Senator Hobby, on the subject above alluded to, one being entitled "An act making an appropriation to repair certain public buildings." Read and ordered to lie on the table. The other one was entitled "An act appropriating five thousand dollars to improve the Capitol grounds." Read first time and ordered to lie on the table.

Senator Culberson, Chairman Committee on Internal Improvements, submitted the following reports :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Internal Improvements have considered Senate bill No. 481, "An act supplemental to 'an act to incorporate the Tyler Tap Railroad Company,'" and respectfully report the same back to the Senate, and recommend that it do pass. CULBERSON, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Internal Improvements report Senate bill No. 483, "An act to amend sections three and seven of 'an act to incorporate the Rusk Transportation Company,'" back to the Senate, and recommend its passage, with the following amendment, to-wit: "Strike out 'twenty-four inches,' and insert 'thirty-six inches,' in section 3, page 1, line 9." CULBERSON, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Internal Improvements, to whom was referred Senate bill No. 451, "An act to incorporate the Houston, East and West Texas Railroad Company, and promote the construction thereof," report the same back to the Senate, with amendments, and recommend its passage, as amended.

Amend section 2, by adding "provided said company shall not have the right to purchase real estate, except so far as may be necessary to operate and maintain said railway—said company shall also be required, upon pain of forfeiture of all lands acquired from the State, to sell or dispose of said lands, as follows: one-third in eight years; one-third in sixteen years; one-third in twenty years.

Amend Section 6, page 6, line 1, by inserting after the word "passing," the following: "through the counties of Liberty, Polk and Tyler."

Amend section 6, page 6, line 9, by striking out "through the county of Goliad to the Rio Grande river, between Brownsville and Laredo," and insert in lieu thereof the following, "to the town of Victoria, in Victoria county, Goliad, in Goliad county, and Beeville, in Bee county, and establish and maintain depots within one mile of the court-

house in said towns, from Brownsville to, or near Laredo on the Rio Grande river.”

CULBERSON, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Internal Improvements, to whom was referred Senate bill No. 468, “An act to amend ‘an act to incorporate the Beaumont, Corsicana and Fort Worth Railroad Company,’ ” report the same back to the Senate, and recommend its passage.

CULBERSON, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Internal Improvements have considered Senate bill No. 481, “An act supplemental to ‘an act to incorporate the Tyler Tap Railroad Company,’ ” respectfully report the same back to the Senate, and recommend that it do pass.

CULBERSON, Chairman.

Senator Westfall introduced a bill entitled “An act supplemental to and amendatory of ‘an act to incorporate the Austin and Pacific Short Line Railroad Company.’ ” Read first time and referred to Committee on Internal Improvements.

Senator Westfall introduced a joint resolution “providing for a new registration of votes before the biennial election in 1875, or before any general election occurring before that time.” Read first time and referred to Committee on State Affairs.

Senator Erath introduced a bill entitled “An act supplemental and amendatory of the several acts authorizing the sale and disposition of the University lands.” Read first time and referred to Committee on Education.

Senator Parker introduced a bill entitled “An act requiring a full and final settlement of the sheriffs of the State, of all State, and county taxes, on the first of May of each year.” Read first time and referred to Judiciary Committee.

The hour having arrived for the resumption of the unfinished business, to-wit: the reading of the Governor’s message, on motion of Senator Davenport, the further reading was dispensed with, and four thousand additional copies of the same ordered printed.

Senator Ellis introduced a bill, entitled “An act validating the official acts of James W. Bennett, as sheriff of

Lavaca county, and providing for the execution of his bond as sheriff of said county." Read first time and referred to Judiciary Committee.

On motion of Senator Westfall, Senate bill No. 489, "An act to authorize the Superintendent of Public Buildings to contract for lighting the Capitol with gas," was called up, read second time and ordered engrossed.

On motion of Senator Hobby, the rules were suspended, bill read third time and passed by the following vote:

YEAS—Senators Ball, Bradley, Camp, Davenport, Ellis, Flanagan, Friend, Hobby, Joseph, Ledbetter, Morris, Moore, Randle, Shepard and Westfall—15.

NAYS—Senators Allison, Baker, Culberson, Dillard, Dwyer, Erath, Ireland, Parker and Stirman—9.

Senator Joseph introduced a bill entitled "An act to amend the fourteenth section of an act entitled 'an act to punish offenses committed on Sunday,'" approved December 2, 1871. Read first time and referred to Judiciary Committee.

Senator Dwyer introduced a bill entitled "An act to amend section fourteen of 'an act granting pensions to the surviving veterans of the Texas revolution which separated Texas from Mexico, including the Sante Fe and Mier prisoners; the survivors of the company of Captain Dawson, who was massacred near San Antonio in the year 1842; the survivors of those who were captured at the city of San Antonio in the fall of the year, 1842, and taken to the castle of Perote, and confined therein; and the survivors of Deaf Smith's spy company, and to provide for the liquidation and settlement of all arrearages due said veterans under an act of 13th of August, 1870, previous to the first of July, 1874.'" Read first time and referred to Committee on State Affairs.

Senator Camp introduced a bill entitled "An act to amend 'an act regulating elections,'" approved March 31, 1873. Read first time and referred to Judiciary Committee.

Senator Ireland introduced a bill entitled "An act granting aid to the International Railroad." Read first time and referred to Committee on Internal Improvements.

Senator Stirman introduced a bill entitled "An act for the relief of such counties and incorporated cities or towns as have voted donations in the aid of the construction of railroads, or other works of internal improvement, under the provisions of an act entitled 'an act to authorize coun-

ties, cities and towns to aid in the construction of railroads and other works of internal improvement," approved April 12, 1871, which said act was repealed on the 22d of April, A. D. 1874. Read first time and referred to Committee on Internal Improvements.

On motion of Senator Bradley, the rules were suspended and Senate bill No. 468, "An act to incorporate the Beaumont, Corsicana and Fort Worth Railroad Company," was taken up and read second time.

Senator Bradley offered the following amendment:

Amend by inserting after the word "Road," in twenty-second line, second page, the following words: "either at or near the town of Beaumont, in Jefferson county, or." Adopted.

The bill, as amended, was then ordered engrossed.

On motion of Senator Bradley, the rules were further suspended, bill read third time and passed.

On motion of Senator Morris, the rules were suspended, and Senate bill No. 473, "An act to amend 'an act to reorganize the Seventh, Eighth and Eleventh Judicial Districts of the State of Texas, and to fix the times for holding the courts therein,'" was taken up, read second time and ordered engrossed.

On motion of Senator Morris, the rules were further suspended, bill read third time and passed.

On motion of Senator Ireland, the Senate reconsidered the vote passing House bill No. 558, "An act to amend an act entitled 'an act to prohibit the sale of intoxicating and spirituous liquors within ten miles of certain places,'" approved April 30, 1874.

Senator Ireland offered the following amendment: Add the words "Stockdale, in Wilson county." Adopted.

Senator Ellis offered the following amendment: Add after words "Bethel church and school house, in Lavaca county," the words "in the neighborhood of Post Oak Grove postoffice." Adopted.

The bill, as amended, was on motion of Senator Westfall ordered to lie on the table.

On motion of Senator Erath, the rules were suspended, and Senate bill No. 458, "An act to amend an act entitled 'an act to establish and maintain a system of public free schools in the State of Texas,'" passed April 30, 1873; and also, substitute therefore, entitled "an act to amend section twenty-two of an act entitled 'an act to amend sec-

tions nine, ten, eleven, fifteen, seventeen, twenty, twenty-two and thirty-eight of 'An act to establish and maintain a system of public free schools in the State of Texas,' " passed April 30, 1873; approved May 2, 1874; and to repeal section thirty-two of 'An act to establish and maintain a system of public free schools in the State of Texas,' " passed April 30, 1873, were taken up, substitute read second time and ordered engrossed.

On motion of Senator Westfall, the rules were further suspended, substitute read third time and passed.

Senate bill No. 460, "An act making an appropriation to defray the contingent expenses of the second session of the Fourteenth Legislature," was taken up, pending an amendment by the House.

The House amendment was concurred in.

On motion of Senator Dillard, the rules were suspended, and Senate bill No. 483, "An act to amend sections three and seven of 'an act to incorporate the Rusk Transportation Company,' " was taken up, read second time, and the amendments of the committee adopted.

Senator Shepard offered the following amendment:

"Strike out the word 'sixteen' before the word 'sections' and insert in lieu thereof, the word 'twelve.' "

Lost by the following vote:

YEAS—Senators Allison, Ball, Bradshaw, Dwyer, Erath, Flanagan, Friend, Moore, Parker, Shepard and Westfall—11.

NAYS—Senators Baker, Bradley, Camp, Culberson, Dillard, Davenport, Ellis, Hobby, Ireland, Joseph, Ledbetter, Randle, Stirman and Swift—14.

The bill as amended, was ordered engrossed, Rules further suspended, bill read third time and passed.

On motion of Senator Camp, the rules were suspended and Senate bill No. 481, "An act supplemental to and amendatory of an act entitled 'an act to incorporate the Tyler Tap Railroad Company,' " approved December 1st, 1871, was taken up, read second time and ordered engrossed.

On motion of Senator Camp, the rules were further suspended, bill read third time and passed.

On motion of Senator Westfall, House bill No. 558, "An act to amend an act entitled 'an act to prohibit the sale of intoxicating and spirituous liquors within two miles of

certain places," approved April 30th, 1874, was taken from the table, read third time and passed.

On motion of Senator Dwyer, the rules were suspended, and House bill No. 546, "An act to authorize the county court of Karnes county to construct bridges across the San Antonio and Cibolo rivers," was taken up and read first time.

On motion of Senator Dwyer, the rules were suspended, bill read second time and passed to third reading.

On motion of Senator Dwyer, the rules were further suspended, bill read third time and passed.

A message from the House announced the passage of the following bills, viz :

House bill No. 535, "An act to incorporate the Waxahachie Railroad Company, and to facilitate the building thereof."

House bill No. 570, "An act to authorize the town of Waxahachie to aid in the construction of the Waxahachie Tap Railroad."

House bill No. 563, "An act to incorporate the Corsicana and Palestine Railroad Company, and aid in constructing the same by granting lands thereto."

House bill No. 536, "An act supplementary and amendatory of an act to incorporate the Western Narrow Gauge Railway Company, and the several acts supplementary and amendatory thereof."

House joint resolution No. 49, "Providing for lighting the capitol grounds and Governor's mansion with gas."

On motion of Senator Culberson, the rules were suspended and House bill No. 535, "An act to incorporate the Waxahachie Railroad Company, and to facilitate the building thereof," was read first time and referred to Committee on Internal Improvements.

Also, House bill No. 570, "An act to authorize the town of Waxahachie to aid in the construction of the Waxahachie Tap Railroad," was taken up, read first time and referred to Committee on Internal Improvements.

On motion of Senator Dwyer, the rules were suspended, and House bill No. 287, "An act to create the county of Crockett, and to establish the boundaries thereof," was taken up and read first time.

Rules further suspended, bill read second time, and passed to third reading.

On motion of Senator Friend, the rules were further suspended, bill read third time and passed.

On motion of Senator Ledbetter, the rules were suspended, and Senate bill No. 451, "An act to incorporate the Houston, East and West Texas Railway Company, and to promote the construction of its railway," was taken up, pending the amendments offered by the committee reporting on said bill.

Pending the reading of said bill, on motion of Senator Joseph, the Senate adjourned until 11 o'clock A. M. tomorrow.

EIGHTH DAY.

SENATE CHAMBER,
AUSTIN, January 20, 1875. }

Senate met pursuant to adjournment ; roll called ; quorum present. Prayer by the chaplain. Journal of yesterday read and adopted.

Message received from the Governor.

On motion of Senator Erath, the rules were suspended and the message of the Governor read.

It was as follows :

EXECUTIVE OFFICE, STATE OF TEXAS, }
AUSTIN, January 20, 1875. }

To the Honorable Senate of the State of Texas :

GENTLEMEN :—I transmit herewith resolutions of the House of Representatives of the Commonwealth of Pennsylvania, certified by the Speaker to the Executive office of Texas, expressive of the sense of that body of the recent alarming and unprecedented encroachment by the President of the United States, crowning a series of gross usurpations upon the rights and prerogatives of our sister State of Louisiana. The use of the military power of the general government for the destruction of the clear constitutional right of the people of Louisiana to an organization of the Legislature, in accordance with their own constitution and laws, has arrested the attention and excited the deepest concern of the people throughout the length and breadth of the Union. Constitutional liberty and the principles of representative government have been stricken down in Louisiana by military power, under the orders of